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S E C R E T SECTION 1 OF 2 SAIGON 620

EXCISE 1967 JUL 9 AM 11 31

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REF: A. STATE 3374 B. SAIGON 613 C. SAIGON 608

1. WE UNDERSTAND FROM MEMBERS OF THE CENTRAL ELECTION COUNCIL THAT THEY INTEND TO CONSIDER COMPLAINTS AGAINST THE CANDIDACIES OF THE MINOR CANDIDATES BEFORE GETTING TO THE COMPLAINTS AGAINST BIG MINH AND THIEU-KY. THE COUNCIL MET BRIEFLY JULY 8 AND WILL MEET AGAIN JULY 10.

2. A MEMBER OF THE COUNCIL, [redacted] TOLD EMBOFF JULY 8 THAT HE THINKS POSSIBLE THE MOST SERIOUS PROBLEM FOR MINH'S SLATE IS THE COMPLAINT AGAINST MINH'S RUNNING MATE (REF C). HE TENDS TO INTERPRET THE CONSTITUTION (ART. 53) AS REQUIRING THAT A PRESIDENTIAL OR VICE PRESIDENTIAL CANDIDATE CANNOT HAVE HELD ANY CITIZENSHIP EXCEPT VIETNAMESE SINCE BIRTH. [redacted] SAID THAT HE THINKS THE COUNCIL WILL ASK FOR MORE DOCUMENTATION IN THE LIENG CASE.

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3. BOTH [redacted] AND [redacted] MEMBER OF THE COUNCIL, [redacted] TOLD EMBOFFS THAT THE MINH DOSSIER IS IN ORDER AS FAR AS THEY CAN MAKE OUT. IF MINH IS TO BE BARRED FROM RUNNING ON THE GROUNDS OF NATIONAL SECURITY, THEY BELIEVE THE COUNCIL WILL NEED MORE DOCUMENTATION. SO FAR THE COMPLAINT BY VIEN AND THE FOUR CORPS COMMANDERS HAS NOT BEEN BACKED UP BY FURTHER STATEMENTS, REASONS, OR DOCUMENTS. [redacted] OBSERVED THAT IF MINH IS A COMMUNIST OR A PRO-COMMUNIST NEUTRALIST, THE COMPLAINT COULD BE UPHELD, BUT THE COUNCIL HAS NO EVIDENCE OF THIS AND THE MILITARY HAS NOT EXPLAINED WHAT IT MEANS BY "NATIONAL SECURITY",

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4. IN CONNECTION WITH THE MINH CANDIDACY, WE THINK IT MAY BE IMPORTANT TO CONSIDER THE EFFECT ON VIEN AND THE FOUR CORPS COMMANDERS (AS WELL AS KY AND THIEU) IF MINH SHOULD RUN AND WIN. THEIR FUTURE WOULD BE UNCERTAIN, TO SAY THE LEAST, AND THEIR REACTION TO SUCH AN UNCERTAINTY COULD BE EXTREMELY DIFFICULT TO CONTAIN. POLICE GENERAL LOAN COMMENTED TO A MISSION OFFICER ON THIS PROBLEM JULY 6. LOAN SAID THAT IT IS ESSENTIAL TO CONSIDER THE CONSEQUENCES OF A BIG MINH VICTORY AT THE POLLS. ONE OBVIOUS RESULT, ACCORDING TO LOAN, WOULD BE THE IMMEDIATE DEPARTURE FROM VIET NAM OF A NUMBER OF IMPORTANT FIGURES, INCLUDING CAO VAN VIEN, WE FEAR THAT THE POSSIBILITY OF A PALACE-TYPE COUP CAN NOT BE EXCULDED IN SUCH CIRCUMSTANCES.

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5. IN ADDITION TO MILITARY RESISTANCE TO BIG MINH'S CANDIDACY, IT SHOULD BE NOTED THAT THE CATHOLICS ARE SOLIDLY AGAINST IT. THE CATHOLIC PRESS, BOTH LEFT AND RIGHT, HAS FOR SEVERAL DAYS RUNNING CARRIED STRONG EDITORIAL STATEMENTS OF OPPOSITION TO THE MINH CANDIDACY. WE CONSIDER THAT BIG MINH'S RETURN AND CANDIDACY COULD SPARK CATHOLIC DEMONSTRATIONS THAT WOULD BE HARDER TO CONTROL THAN THE LIMITED NUMBER OF PEOPLE TRI QUANG SEEMS NOW CAPABLE OF MOBILIZING FOR STREET PROTESTS.

6. AS REGARDS AU TRUONG THANH, THE VIETNAMESE APPEAR IN GENERAL TO BE TAKING THE COMPLAINT AGAINST HIM RATHER CALMLY. SOME SUPPORTERS OF TRAN VAN HUONG THINK THANH'S CAMPAIGN TACTICS ARE MISTAKEN AND DANGEROUS. THEY DO NOT CONSIDER THE ARRESTS REPORTED IN REFERENCE B AS A THREAT TO THEM OR TO HUONG'S CANDIDACY. IN FACT THE PEOPLE ARRESTED SEEM TO HAVE LITTLE STANDING AND ARE LITTLE KNOWN IN RESPONSIBLE CIRCLES HERE. THERE IS NOT MUCH DOUBT THAT AT LEAST SOME OF THEM ARE IN FACT WORKING WITH THE VIET CONG.

7. IT APPEARS NOW THAT THANH WILL MOST LIKELY BE ELIMINATED FROM THE PRESIDENTIAL RACE. [redacted] TOLD AN EMBOFF THAT THE ELECTION COUNCIL HAS DOCUMENTS SIGNED BY THANH WHICH PROVE HE HAS BEEN A MEMBER OF A COMMUNIST ORGANIZATION. BOTH [redacted] AND [redacted] IMPLIED THAT THEY EXPECT THE COUNCIL TO UPHOLD THE COMPLAINT AGAINST THANH'S CANDIDACY.

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THE LARGE AND INFLUENTIAL CATHOLIC POLITICAL ORGANIZATION, DAI DOAN KET

OR GREATER SOLIDARITY FORCE, HAS COME OUT PUBLICLY AGAINST THANH'S CANDIDACY, AND THEY IMPLY THAT HE IS WORKING WITH THE COMMUNISTS. WE HAVE FOUND LITTLE SYMPATHY FOR HIM AMONG ASSEMBLY DEPUTIES. FROM PRESENT INDICATIONS WE DO NOT ANTICIPATE ANY SIGNIFICANT POPULAR REACTION HERE TO HIS BEING BARRED FROM THE RACE.

8. REFERENCE A SUGGESTS THAT THE PROBLEMS RAISED BY BIG MINH'S CANDIDACY

BE DISCUSSED WITH THIEU AND KY. I AGREE THAT IT IS NOW TIME TO RAISE THIS SUBJECT WITH THEM, AND I INTEND TO DO SO AT THE NEXT OPPORTUNITY. IN CONSIDERING THE PROPER LINE TO TAKE WITH THEM I THINK IT MOST IMPORT-

ANT FOR US TO KEEP IN MIND THE POSSIBLE REACTIONS TO BIG MINH'S CANDIDACY

ON THE PART OF MILITARY AND RELIGIOUS ELEMENTS. THE OPPOSITION OF BOTH THE LEADING MILITARY FIGURES AND THE CATHOLICS SUGGESTS THAT A BIG MINH VICTORY COULD PUT US BACK IN THE ATMOSPHERE OF 1963-64. I HAVE NO REASON TO BELIEVE THAT MINH WOULD PROVE ANY MORE SUCCESSFUL IN

UNITING THE MILITARY AND THE CIVILIANS AGAINST THE VIET CONG THAN HE DID AT THAT TIME. IT IS OF COURSE BY NO MEANS A FOREGONE CONCLUSION THAT MINH WOULD WIN THE ELECTION IF HE WERE ALLOWED TO RETURN.

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BASED ON PRESENT READINGS WE DOUBT THAT HE WOULD. HOWEVER, MANY VIET-NAMESE, INCLUDING SOME OF THE LEADING MILITARY FIGURES, CLEARLY FEAR THAT HE WOULD. IF HE IS ALLOWED TO RETURN IN ORDER TO RUN, THEIR REACTIONS WILL IN MANY CASES BE BASED ON THE CALCULATION THAT HE WILL WIN. THIS POSES A GRAVE THREAT TO POLITICAL STABILITY, FOR THE MILITARY

AND CATHOLIC ELEMENTS INVOLVED ARE CAPABLE OF MOVING LARGE GROUPS OF PEOPLE WITH CONSIDERABLE EFFICIENCY. THIS MIGHT BE PARTICULARLY TROUBLESOME IF IT WAS THOUGHT THAT THE US WAS RESPONSIBLE FOR ANY DECISION IN FAVOR OF BIG MINH'S CANDIDACY.

9. IN THINKING ABOUT HOW TO HANDLE THIS MATTER WITH THIEU AND KY, I THINK WE MUST ALSO CONSIDER THE SITUATION IF BIG MINH IS ALLOWED TO RUN BUT IS PHYSICALLY BARRED FROM RETURNING TO THE COUNTRY. WHILE THIS MIGHT AT THE MOMENT NOT APPEAR TO BE A BAD SOLUTION--MANY WOULD ARGUE THAT IT WOULD REDUCE HIS CHANCES OF WINNING WHILE NOT VIOLATING THE LAWS--

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I BELIEVE
IT WOULD IN THE END PROVE LESS TOLERABLE THAN AN OUT-AND-OUT BAR TO HIS CANDIDACY. THROUGHOUT THE CAMPAIGN, I WOULD EXPECT THAT THE PRESS WOULD CONCENTRATE ON BIG MINH'S ABSENCE, PERHAPS MORE THAN ON ANY OTHER FACTOR. HIS PRONOUNCEMENTS FROM BANGKOK WOULD GET HEADLINES ABROAD IF NOT HERE. IT WOULD OF COURSE BE IMPOSSIBLE TO PRETEND THAT HE HAD BENEFITED FROM

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EQUAL FACILITIES. THUS, I DO NOT REALLY THINK THAT IT IS PRACTICAL OR DESIRABLE TO SEPARATE THE QUESTIONS OF HIS RETURN AND HIS CANDIDACY.

10. ALL OF THIS LEADS ME TO BELIEVE THAT THE RETURN AND CANDIDACY OF BIG MINH WOULD CONSTITUTE A SERIOUS THREAT TO MILITARY UNITY AND POLITICAL STABILITY HERE. IN FACT THE DIRECTORATE STATEMENT THAT HIS CANDIDACY ENDANGERS NATIONAL SECURITY APPEARS TO ME TO BE ESSENTIALLY ACCURATE. THUS, IN DUSCUSSING THE MATTER WITH THIEU AND KY, I DO NOT THINK THAT I SHOULD IMPLY THAT WE FAVOR THEIR ALLOWING HIM TO RUN. INDEED I THINK THAT I WILL HAVE TO GO TO SOME PAINS TO MAKE IT CLEAR THAT THIS IS NOT OUR POSITION. OUR EMPHASIS ON THE NEED FOR CLEAN AND LEGAL ELECTIONS HAS BEEN READ BY SOME VIETNAMESE--AND MIGHT WELL ALSO BE INTERPRETED BY THIEU AND KY -- TO MEAN THAT WE WANT BIG MINH TO RUN AND WIN.

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NOTE: PASSED S/S-O AT 12:09 PM 7/9/67
PASSED WHITE HOUSE AT 1:05 PM 7/9/67

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11. THE MILITARY, WHEN THEY ARE UNITED USUALLY HAVE HAD ENOUGH INFLUENCE TO GET THEIR WAY WITH THE ASSEMBLY. IN THIS CASE THEY ARE PUBLICLY UNITED IN THEIR OPPOSITION, AND THEIR PRESTIGE IN THIS ENGAGED. WE ALSO KNOW THAT SUU IS AGAINST HIS RETURN. WE SUSPECT THAT THE OTHER CIVILIAN CANDIDATES SEE HIM AS MORE OF A THREAT THAN ANYTHING ELSE. UNLESS IT IS WIDELY BELIEVED THAT THE AMERICANS WANT BIG MINH, WE ARE INCLINED TO BELIEVE THAT THE ASSEMBLY MAY WELL BE PREPARED TO GO ALONG WITH FINDING THAT BIG MINH'S CANDIDACY IS A THREAT TO NATIONAL SECURITY. WE WILL BE MAKING FURTHER SOUNDINGS WITH NA MEMBERS SINCE IT IS STILL EARLY IN THE PROCESS OF THEIR CONSIDERATION AND THE CENTRAL ELECTION COUNCIL MAY NOT RULE FOR SEVERAL DAYS.

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12. THE ISSUE BOILS DOWN TO THE PROBLEM OF MAKING A CONVINCING CASE AGAINST BIG MINH'S CANDIDACY OR THAT OF HIS RUNNING MATE IN LEGAL TERMS. IT IS THE LEGAL PROCESS THAT THIEU AND KY SHOULD BE BROUGHT TO FOCUS ON. THE COMPLAINT SHOULD BE AMPLIFIED. ALTERNATELY, THE CASE AGAINST BIG MINH'S RUNNING MATE MIGHT BE AMPLIFIED. ONE WAY OR ANOTHER A LEGAL CASE SHOULD BE MADE AND HOPEFULLY UPHELD BY THE LEGAL BODIES CONSTITUTED FOR THE PURPOSE.

13. GIVEN THE ABOVE CONSIDERATIONS, I THINK IT WOULD BE WELL TO STRESS AGAIN TO THIEU AND KY THE GREAT IMPORTANCE WE ATTACH TO THE CARRYING OUT OF FREE AND FAIR ELECTIONS. I WOULD COUPLE THIS, HOWEVER, WITH A STATE-

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MENT THAT WE ARE WELL AWARE OF THE MANY RAMIFICATIONS BIG MINH'S CANDIDACY WOULD HAVE, AND WE ARE PREPARED TO LEAVE THE DECISION ON HIM TO THEIR JUDGMENT. WE ARE VERY CONCERNED WITH THE REACTION AT HOME AND ABROAD, HOWEVER, AND WE THINK IT MOST IMPORTANT THAT THE LEGAL PROCESS BE BROUGHT INTO SHARP FOCUS. MOST IMPORTANT, THE CASE AGAINST BIG MINH'S CANDIDACY AND POSSIBLY THAT OF HIS RUNNING MATE SHOULD BE MADE QUITE CLEAR AND CONVINCING. THE REASONS AGAINST HIS RUNNING SHOULD BE STATED PUBLICLY, AND STRESS PUT ON THE FACT THAT THIS IS A MATTER FOR THE ELECTION COUNCIL AND THE ASSEMBLY TO DECIDE.

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14. IF THIS IS DONE, AND IF BIG MINH IS THEN DENIED PERMISSION TO RUN AS A DOMONSTRABLE RESULT OF THE LEGAL PROCESS HERE, I DO NOT THINK THAT BLOCKING HIS CANDIDACY WILL DAMAGE THE CHANCES OF THE ELECTIONS CONTRIBUTING TO THE REALIZATION OF OUR OBJECTIVES.

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NOTE: PASSED S/S-O AT 1:25 PM 7/9/67
PASSED WHITE HOUSE AT 1:08 PM 7/9/67

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